

1. Applicant Information

Request: Consideration as an early action: *Establish stockpiles of rock of appropriate size for levee restoration and other emergency response materials at appropriate locations throughout the Delta.*

Consultation re plan: N.A

Consultation re: possible covered action: N.A.

Other (please specify): Early Action for the Interim Plan

Applicant Name: *Steven L. Goetz*

Legal status (city, special district, firm, individual, etc.): *County of Contra Costa*

Address of applicant: *Contra Costa County Water Agency, 651 Pine Street, 4th Floor, North Wing, Martinez, CA 94553*

Contact information: Name of responsible individual: *Steven L. Goetz*

Role (officer, attorney, etc.): *Deputy Director of Conservation and Transportation Planning Programs*

Address: Same as above.

Email: *steven.goetz@dcd.cccounty.us*

Telephone: *925 335-1240*

Legally Responsible Entity Name (if different that Applicant): *Delta Stewardship Council*

Legal Status (city, special district, firm, individual, etc.): *State Agency*

Address of applicant: *650 Capitol Mall, Sacramento, CA*

Contact information: Name of responsible individual: *Phil Isenberg*

Role (officer, attorney, etc.): *Chair*

Address: Same as above

Email: _____

Telephone: _____

Plan or project purpose narrative, including legal authority. If an action is “urgent,” provide the rationale for urgency.

The Final Interim Plan deleted an early action in Table 4-1 from an earlier draft which stated “stockpile rock and other emergency response materials” and listed DWR as the responsible agency. From the wording of that early action, it was not clear if the rock stockpile was for blocking Delta channels in the event of a levee failure or for levee repair. Stockpiles for blocking channels are already in place.

The purpose of the early action is to establish emergency stockpiles of rock (and other emergency response materials) for levee repair at strategic locations throughout the Delta. Prompt repair of a levee during destabilization can minimize or prevent a break. A levee break has potential to create a larger emergency through destabilization of adjacent levees. Rock of the appropriate size is not readily available, as a result stockpiling of appropriate materials specifically for levee repair can minimize impacts of a catastrophic multi-levee break in the Delta, which would impact water supply to the state, and pose a significant risk to the public health, safety and welfare.

The urgency for actions to reduce the risk of levee failure is covered in the Interim Plan. The early action for preparing a Delta Emergency Preparedness and Response Plan is not adequate because establishing stockpiles of rock for levee repair at strategic locations can be easily accomplished without waiting for completion of the Delta Emergency Preparedness and Response Plan.

Plan or project physical location and description (include geo-referencing latitude and longitude for projects):

The legal Delta. Suggested areas for stockpiles would include the western, central and south Delta areas.

2. Plan or Project Review by Public Agencies

This section does not apply to this early action. Public Agency is review of this early action to be determined as recommendations may not be necessary by other than the Delta Stewardship Council, the Department of Water Resources, and perhaps the Central Valley Flood Protection Board, none of which are listed below.

Local Government Discretionary Approval(s):

Yes _____ No _____ If yes, describe:

Delta Protection Commission Consistency Approval(s):

Yes _____ No _____ If yes, describe:

Bay Conservation and Development Commission Permit:

Yes _____ No _____ If yes, describe:

State Lands Commission:

Yes _____ No _____

CalTrans:

Yes _____ No _____

State Water Resources Control Board Permit:

Yes _____ No _____

Regional Water Quality Control Board:

Yes _____ No _____ Regional Board Number: _____

California Dept. of Toxic Substances Control:

Yes _____ No _____

California Department of Fish and Game Streambed Alteration Permit:

Yes _____ No _____

DF&G Take Authorization:

Yes _____ No _____

Other DF&G Permit:

Yes _____ No _____

U.S. Army Corps of Engineers:

Yes _____ No _____ Public Notice Number: _____

U.S. Fish and Wildlife Service: Take Authorization

Yes _____ No _____

Biological Opinion:

Yes _____ No _____

NOAA Fisheries Service: Take Authorization

Yes _____ No _____

Biological Opinion

Yes _____ No _____

U.S. Coast Guard:

Yes _____ No _____

Federal Funding:

Yes _____ No _____

Describe any history of consideration by any other governmental agency and provide documentation of any actions taken.

N.A.

3. Environmental Impact Documentation (must be completed by all applicants)

a. Is the project statutorily or categorically exempt from the need to prepare any environmental documentation?

Yes ☒ No _____

If "Yes," please attach a statement that identifies and supports this statutory or categorical exemption.

Establishing stockpiles of rocks at strategic locations for levee repair would mitigate an emergency and is exempt from the requirements of the California Environmental Quality Act, Guidelines Section 15269(c).

b. Has a government agency other than the Council, serving as the lead agency, adopted a negative declaration or certified an environmental impact report or environmental impact statement on the project?

Yes _____ No ☒

If "Yes," attach a copy of the document. If the environmental impact report or statement is longer than ten pages, also provide a summary of up to ten pages. If "No," provide sufficient information to allow the Council to make the necessary findings regarding all applicable policies. The certified document must be submitted prior to action on the application.

4. Assessment against Delta Reform Act Policy Objectives

Assess the proposed plan or project against the eight policy objectives listed below which "the legislature declares are inherent in the coequal goals for management of the Delta" (WC Section 85020). Provide a brief summary for the rationale for each assessment and reference to any supporting documentation (include URL links as appropriate).

(a) Manage the Delta's water and environmental resources and the water resources of the state over the long term.

Positive ☒ Negative _____ Neutral _____ Unknown _____ Not Applicable

Rationale, magnitude of effect (if positive or negative) and documentation:

(b) Protect and enhance the unique cultural, recreational, 1 and agricultural values of the California

Delta as an evolving place.

Positive ☒ Negative _____ Neutral _____ Unknown _____ Not Applicable

Rationale, magnitude of effect (if positive or negative) and documentation:

Emergency actions to repair levees in a potentially catastrophic situation would protect unique values of the Delta

(c) Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem.

Positive _____ Negative _____ Neutral ☒ Unknown _____ Not Applicable

Rationale, magnitude of effect (if positive or negative) and documentation:

Potential to prevent degradation of ecosystem, fishery in an emergency

(d) Promote statewide water conservation, water use efficiency, and sustainable water use.

Positive _____ Negative _____ Neutral _____ Unknown _____ Not Applicable ☒

Rationale, magnitude of effect (if positive or negative) and documentation:

(e) Improve water quality to protect human health and the environment consistent with achieving water quality objectives in the Delta.

Positive _____ Negative _____ Neutral X Unknown _____ Not Applicable

Rationale, magnitude of effect (if positive or negative) and documentation:

Potential to prevent degradation of water quality in an emergency

(f) Improve the water conveyance system and expand statewide water storage.

Positive _____ Negative _____ Neutral _____ Unknown _____ Not Applicable X

Rationale, magnitude of effect (if positive or negative) and documentation:

(g) Reduce risks to people, property, and state interests in the Delta by effective emergency preparedness, appropriate land uses, and investments in flood protection.

Positive X Negative _____ Neutral _____ Unknown _____ Not Applicable _____

Rationale, magnitude of effect (if positive or negative) and documentation:

The placement of stockpiles of rock for levee repair and other emergency response materials would reduce risk to people, property, would be an effective emergency preparedness action, an appropriate land use and a great investment in flood protection.

(h) Establish a new governance structure with the authority, responsibility, accountability, scientific support, and adequate and secure funding to achieve these objectives.

Positive _____ Negative _____ Neutral _____ Unknown _____ Not Applicable X

Rationale, magnitude of effect (if positive or negative) and documentation:

5. Assessment of Administration and Implementation Processes

Cost of Project/Plan: Please provide your best estimate of the total cost of the project or plan you are proposing. If this is a Plan, please provide an estimate of the annual operational or enforcement costs projected for the activity. Please list all sources used for developing the cost estimates
The cost would involve the acquisition of rock and other materials for stockpiling, to be determined.

Financing (provide information on public and private sources of funding, including funds on hand or legally pledged or obligated and the sources of those funds):

Activities of the Delta Stewardship Council and administration of Emergency preparedness actions of this kind would be funded by state bond revenue. Senate Bill X2-1 in 2008 authorized DWR to spend \$100 million in Proposition 1E funds dedicated to emergency response and preparedness. According to DWR, \$80 million of this amount will be allocated to the Flood Operations Center for emergency response. Establishing stockpiles of rock and other materials for stockpiling should be an eligible use of these funds.

Identify any public agencies (federal, state and local) whose actions or decisions are essential for the proposed action to succeed. Provide evidence of their approval and support of the proposed action:

Delta Stewardship Council, Department of Water Resources, the Office of Emergency Services, local reclamation districts in the Delta. Other agencies may be involved.

If real property must be acquired or use altered for the success of the proposed action, identify the owners of that property and information on how ownership or use change will occur:

Existing sites are available for this purpose, to be determined.

Provide a time line for the proposed plan or project, including major milestones through completion:

The Council includes as an early action and commissions DWR to suggest appropriate sites (many available and some sites are already used for similar purpose), costs to purchase and move rock.

Describe how success or failure of the plan or project will be determined, including measures proposed, time frame and public agency responsible for judging success:

Success could be measured by the completion of movement of appropriate amounts of rock suitable for levee repair into several sites in the Delta.

Describe the major benefits that can result from the proposed plan or project, including identification of beneficiaries and any information on the magnitude and timing of benefits received:

Benefits include the reduction in risk to state interests such as the protection of the state's water supply and to the public health safety and welfare.

If the proposed plan or project fails, what is done? What additional costs could be incurred and how will they be financed? Identify any lasting effects or changed options for future policy making:

If rock is not moved into the Delta for levee repair purposes, the ability to react in an emergency is compromised. Failure in this instance could be measured by not implementing this project.

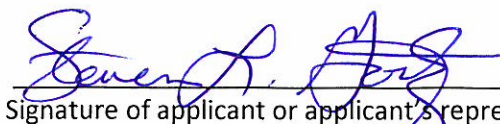
6. Scientific justification (to address requirement for Council use of best available science, Water Code section 85302(g)):

Describe any Attach description of scientific justification for the proposed plan or project and provide all related documents any pertinent documents. Address the criteria identified in Section 3 when preparing the scientific justification. Provide complete list of all scientific references cited:

N. A.

7. Applicant certifications and authorizations

I certify that all of the information submitted is complete and accurate to the best of my knowledge and that all attached exhibits are full, complete and correct. I certify that I understand that omitted or insufficient information can delay consideration of this application. I certify that this application is not complete until accepted by the Council at a regularly scheduled meeting. I authorize the Council, its staff or other authorized personnel to share this information publicly and authorize their collection of additional information relevant to this application.



Signature of applicant or applicant's representative

September 3, 2010

Printed name: Steven L. Goetz Title: Deputy Director of Conservation and Transportation Planning Programs, Contra Costa County Department of Conservation and Development.